

REMARKS

Claims 9-22 and 24 are pending in this application. By this Amendment, claims 9 and 24 are amended. Support for the amendments to claims 9 and 24 can be found at, for example, page 1, lines 26-28 and page 3, lines 3-4. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

I. Objection to the Title

The Office Action objects to the title "FUEL CELL SYSTEM AND METHOD FOR DRIVING SAME." However, the title was amended to "FUEL CELL SYSTEM WITH PRESSURE REGULATOR AND METHOD FOR DRIVING SAME" in the November 5, 2009 Amendment. Accordingly, Applicant respectfully requests withdrawal of the objection.

II. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 9-22 and 24 under 35 U.S.C. §103(a) as having been obvious over JP 2002-352837 to Kazuo in view of U.S. Patent No. 6,663,990 to Iio et al. (hereinafter "Iio"). The rejection is respectfully traversed.

Kazuo fails to disclose "the drive means consuming the power generated by the fuel cell and forcibly circulating the fuel gas in the circulation route," as recited in claim 9 and "the drive pump consuming the power generated by the fuel cell and forcibly circulating the fuel gas in the circulation route," as recited in claim 24. Kazuo discloses a fuel cell system having a fuel gas supply device (2) for storing fuel, a supply pressure control valve (3), and an ejector pump (4) arranged in a fuel gas supply line (L1). However, Kazuo fails to disclose that the ejector pump (4) consumes the power generated by the fuel cell stack (1) or that the ejector pump (4) forcibly circulates the fuel in the fuel cell system. Instead, Kazuo discloses that when power is extracted from the fuel cell stack (1), the amount of fuel gas in circulation is increased thus realizing a sufficient pumping effect by the ejector (4) (paragraphs [0069]

and [0070]). An increase in fuel gas replaces the need of the ejector (4) to sufficiently pump the fuel gas in the circulation route. As a result, Kazuo does not disclose that the ejector (4) draws any power during a period when the power is extracted from the fuel cell stack (1) because Kazuo does not disclose that the ejector (4) is in operation when power is extracted from the fuel cell stack (1). Thus, Kazuo fails to disclose the features of claims 9 and 24, as recited above.

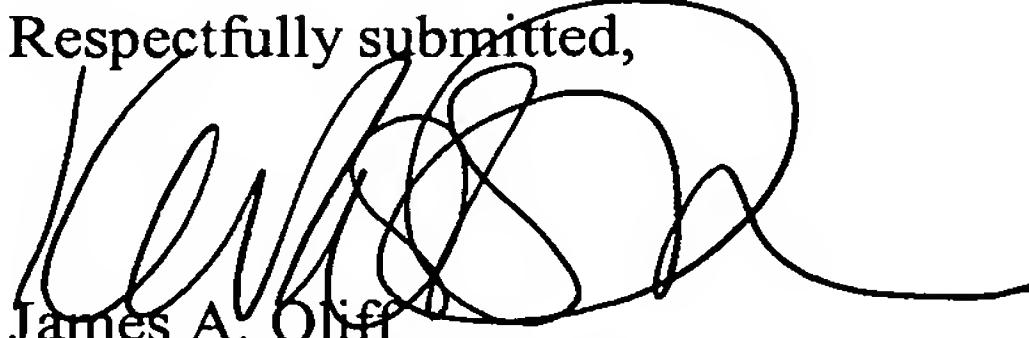
Iio fails to cure the deficiencies of Kazuo with respect to the above-recited features. Iio discloses a fuel cell system having a hydrogen control valve (11) and a hydrogen draw pump (12) located in an exhaust hydrogen passage (Ph2) (col. 4, lines 12-19). However, Iio fails to disclose that the hydrogen draw pump (12) forcibly circulates fuel gas in a circulation route. Instead, Iio discloses that the hydrogen draw pump (12) is located in the exhaust passage route (Ph2) and works on surplus hydrogen gas that is not reacted for electrical power production. Thus, Iio fails to disclose the features of claims 9 and 24, as recited above.

For at least these reasons, claims 9 and 24 are patentable over Kazuo and Iio, alone or in combination. Further, dependent claims 10-22 are patentable for at least the same reasons, as well as for the additional features recited therein. Accordingly, Applicant respectfully requests withdrawal of the rejections.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:DLC/pap

Date: April 27, 2011

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